



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"



Tim Gallagher, Director

March 23, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**HEARING ON PROPOSED AMENDMENTS TO
LOS ANGELES COUNTY CODE TITLE 21 (SUBDIVISION ORDINANCE)
REGULATING LOCAL PARK SPACE OBLIGATIONS ("QUIMBY ORDINANCE")
(All Supervisorial Districts) (3-Votes)**

IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:

Find that the proposed Ordinance amendment is categorically exempt from the California Environmental Quality Act (CEQA).

- 2 Adopt the proposed amendments to the Subdivision Ordinance, Title 21 regulating local park space obligations.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The recommended actions will update residential density figures and land values for the Department of Parks and Recreation's (Department's) park planning areas (PPAs), which include only the unincorporated portions of Los Angeles County. These factors are used to compute parkland obligations for proposed residential subdivisions pursuant to California Government Code Section 66477 ("the Quimby Act"). The current ordinance uses household density figures from the 1990 census and land values over ten years old. The amended ordinance will benefit the County by providing current figures for calculating parkland obligations or fees in lieu of parkland.

Residential Density Figures

The proposed amendment to Title 21, Section 21.24.340 of the Subdivision Ordinance updates estimated household densities (average number of people per household per dwelling unit type) for each of the Department's PPAs, utilizing data from the *United States Census 2000* as provided by the Urban Research Office, Chief Administrative Office. These figures, together with the number of residential units proposed for a

subdivision, form the residential density component of the formula used to calculate park acreage for the residential subdivider's Quimby obligation.

Land Values and In Lieu Fees

A number of amendments are proposed for Title 21, Section 21.28.140 pertaining to the computation of Quimby fees. The Department, in cooperation with the Department of Public Works' Mapping and Property Management Division, considered various methodologies for updating the average per-acre land values for each park planning area. After considering different results from these approaches, the Department recommends adjustments to the current ordinance ("historic") land values based on changes in the consumer price index (CPI). The proposed ("representative") land values represent the adopted historic land values, adjusted annually by changes in the CPI for the period beginning March 1994 and ending March 2003. The Auditor-Controller has reviewed the Department's calculations and determined the CPI percentages used and their applications were appropriate.

The average per-acre land values for each park planning area would be adjusted annually based on changes in the CPI. Future annual adjustments to these representative land values would also be determined by the Department in coordination with the Auditor-Controller, based on the percentage movement in the CPI between March of the previous year and March of the current year and would be effective July 1st of each year. The Los Angeles County Public Library uses a similar method to adjust its Library Facilities Mitigation fee.

Other Changes

The proposed amendment clarifies which type of residential subdivision maps would be subject to the proposed ordinance amendments. In addition, the proposed amendment would merge those park planning areas without a historic land value and "unincorporated islands" outside a park planning area with appropriate park planning areas having representative land values. This simplifies the methodology, and eliminates the need for alternative fee determination methods, because every park and park planning area will have a representative land value for calculating Quimby fees.

Based on these mergers, and annexations that occurred since the ordinance was last updated, some of the park planning area names, numbers, and boundaries are revised. Corresponding changes were made to the Department's proposed *2004 Park Planning Areas Map* referenced in the ordinance. Title 21, Section 21.28.140 would also incorporate a provision in the Quimby Act that requires Quimby fees to be scheduled and committed within five years after payment or paid to the record owners of the subdivision.

The Department presented the proposed amendments in concept to the Land Development Advisory Committee of the Department of Public Works on July 8, 2003 and to the Department's Park and Recreation Commission on September 8, 2003, and gave a copy of the proposed ordinance amendments to a representative of the Building Industry Association of Southern California. As of the date of this filing, no comments have been received by the Department.

Implementation of Strategic Plan Goals

These actions are consistent with the County Strategic Plan Goal of Fiscal Responsibility. Establishing representative land values and an equitable method of annually updating them enables Quimby fees to track land costs in the Department's park planning areas. This also supports the goals of Service Excellence and Children and Families' Well Being because the Quimby fees are used to fund local parkland improvements and acquisition, which improves the quality of life in the County and provides park amenities for families.

FISCAL IMPACT/FINANCING

There will be no impact on the General Fund. Currently adopted land values per acre, when adjusted using changes in the CPI for the period beginning March 1994 and ending March 2003, will increase by 23.41% in each of the Department's 33 proposed park planning areas. After adoption, these representative land values may increase or decrease annually based on the percentage movement in the CPI between March of the previous year and March of the current year, effective July 1st of each year. This will enable Quimby revenues to match changes in market conditions.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Before your Board can approve the amended ordinance increasing fees, a public hearing must be held, pursuant to Government Code Section 66018(a). Notice of the time and place of the hearing has been published as required pursuant to Government Code Section 6062a. The Notice of Public Hearing is enclosed.

County Counsel has reviewed and approved the proposed ordinance amendment and Notice of Hearing as to form, and has provided an analysis of the proposed ordinance amendments.

ENVIRONMENTAL DOCUMENTATION

Approval of proposed modifications and adjustments to the Quimby Ordinance is exempt from the California Environmental Quality Act (CEQA), according to Section 15273(a)(4) of State CEQA Guidelines because CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares,

or other charges by public agencies. Approval of the modifications and adjustments to the Quimby Ordinance is also exempt from CEQA because it is for the purpose of obtaining funds for capital projects necessary to maintain service within existing service areas, pursuant to Section 21080(b) 8 of the Public Resources Code.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

For the purpose of calculating fees in lieu of parkland, the schedule of representative land values contained herein shall apply to the following residential subdivision maps that have not been advertised for public hearing by the Department of Regional Planning by the 31st day after adoption of this amendment by the Board of Supervisors, or as annually adjusted thereafter by the Department of Parks and Recreation in consultation with the Auditor-Controller, effective July 1st of each year: (a) tentative tract maps; (b) tentative minor land division maps; (c) revised maps, as described in Los Angeles County Code Section 21.62.030, Subsection B; and (d) reactivated maps, which are previously approved tentative maps that have expired and that must be processed as new tentative maps.

CONCLUSION

It is requested that one (1) copy of the adopted amended ordinance and one (1) conformed copy of the Board letter be returned to this Department and one copy of each of these documents be returned to County Counsel.

Respectfully submitted,

Tim Gallagher
Director

JB (c:Quimby Ordinance BdLtr3304)

Attachments (3)

1. Proposed amendments to Title 21
2. Analysis
3. Notice of Public Hearing

c: Chief Administrative Officer
County Counsel
Auditor-Controller
Executive Office (30)